

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

PACIFIC ENDODONTICS, P.S., individually )	Case No. 2:20-cv-00620-RSM
and on behalf of all others similarly situated, )	
Plaintiff, )	<b>ORDER IN SUPPORT OF STIPULATED</b>
vs. )	<b>MOTION FOR STAY OF</b>
THE OHIO CASUALTY INSURANCE )	<b>PROCEEDINGS PENDING RULING ON</b>
COMPANY, )	<b>CONSOLIDATION AND TRANSFER BY</b>
Defendant. )	<b>JPML</b>
	<b>[Filed concurrently with Stipulated Motion</b>
	<b>for Stay of Proceedings Pending Ruling on</b>
	<b>Consolidation and Transfer by JPML.]</b>

**ORDER**

The Court having examined and considered Plaintiff Pacific Endodontics, P.S. ("Plaintiff") and Defendant The Ohio Casualty Insurance Company's ("Defendant") (collectively the "Stipulating Parties") Stipulated Motion for Stay of Proceedings Pending Ruling on Consolidation and Transfer by JPML, finding that there is good cause,

**HEREBY ORDERS AND ADJUDGES THAT** this matter is stayed in its entirety, including but not limited to (1) all scheduling deadlines pursuant to the Federal Rules of Civil Procedure, Local Rules of the United States District Court for the Western District of Washington and this Honorable Court, (2) discovery, and (3) the deadline to answer or otherwise respond to Plaintiff's Complaint, pending a ruling by the JPML concerning the transfer of this action for

inclusion in MDL No. 2942 for consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. In the event that the JPML denies consolidation, the stay will automatically terminate seven (7) days after the JPML's decision denying consolidation, and Defendant shall have twenty-one (21) additional days from the termination of the stay to answer, move, or otherwise plead in response to Plaintiff's Complaint.

**IT IS SO ORDERED.**

Dated this 26<sup>th</sup> day of May, 2020.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

Presented By:

DATED this 22<sup>nd</sup> day of May, 2020.

**KELLER ROHRBACK L.L.P.**

By: s/ Lynn L. Sarko

By: s/ Amy Williams-Derry

By: s/ Ian S. Birk

By: s/ Gretchen Freeman Cappio

By: s/ Irene M. Hecht

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*Attorneys for Defendant The Ohio Casualty  
Insurance Company*

**CERTIFICATE OF SERVICE**

I hereby certify that on the date given below, I electronically filed the foregoing  
**(PROPOSED) ORDER IN SUPPORT OF STIPULATED MOTION FOR STAY OF  
 PROCEEDINGS PENDING RULING ON CONSOLIDATION AND TRANSFER BY  
 JPML** with the Clerk of the Court using the CM/ECF system which will send electronic  
 notification of such filing to the following persons:

Lynn L. Sarko Amy Williams-Derry Ian S. Birk Gretchen Freeman Cappio Irene M. Hecht Maureen Falecki Keller Rohrback L.L.P. 1201 Third Avenue, Suite 3200 Seattle, WA 98101 Tel: (206) 623-1900 Fax: (206) 623-3384	Attorneys for Plaintiff PACIFIC ENDODONTICS, P.S., individually and on behalf of all others similarly situated
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DATED this 22<sup>nd</sup> day of May, 2020, at Seattle, Washington.

s/ Jennifer Hickman  
 Jennifer Hickman